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UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:
 USA COMMERCIAL MORTGAGE COMPANY,
 Debtor.

BK-S-06-10725 LBR
 BK-S-06-10726 LBR
 BK-S-06-10727 LBR
 BK-S-06-10728 LBR
 BK-S-06-10729 LBR

Chapter 11

USA CAPITAL REALTY ADVISORS, LLC,
 Debtor.

USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,
 Debtor.

USA CAPITAL FIRST TRUST DEED FUND, LLC,
 Debtor.

USA SECURITIES, LLC,
 Debtor.

**STATEMENT OF GOLDSMITH
 & GUYMON, P.C. PURSUANT TO
 BANKRUPTCY RULE 2019
 (AFFECTS ALL DEBTORS)**

Affects:

- ☒ All Debtors
- ☐ USA Commercial Mortgage Company
- ☐ USA Securities, LLC
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA First Trust Deed fund, LLC

Hearing Date: n/a
 Hearing Time: n/a

I, Marjorie A. Guymon, Esq., declare, under penalty of perjury, and state as follows:

1 1. I am an attorney licensed to practice law in the state of Nevada and am a shareholder
2 of the law firm of Goldsmith & Guymon, P.C. I have personal knowledge of the facts set forth
3 herein and if called as a witness could and would competently testify thereto.

4 2. Shelley D. Krohn, a shareholder at Goldsmith & Guymon, P.C., and Damon K. Dias,
5 an associate at Goldsmith & Guymon, P.C., and I are the attorneys primarily responsible for
6 representing the following parties in connection with the above-captioned cases:

7 A. Mountain West Mortgage, LLC
8 Attn: Tom Jurballa
9 630 Trade Center Drive
10 Las Vegas, NV 89119

11 The representation of this client is based on direct loans it made, as power of attorney for
12 several individual investors identified in Exhibits A & B, to borrowers in one or more of various real
13 property development projects currently being serviced by USA Commercial Mortgage Company,
14 namely Lerin Hills and Marlton Square, which are secured by deeds of trust. The direct loans were
made on December 7, 2005 and August 11, 2005, respectively. The amounts of the loans were
\$12,900,000.00 and \$30,000,000.00 respectively.

15 B. Michael W. Gortz
16 7820 Emerald Harbor Ct.
Las Vegas, NV 89128

17 The representation of this client is based on the direct loan (believed to be for \$100,000.00)
18 made to Marlton Square, which is represented above and secured by deed of trust, as well as an
19 investment in one or both of the Trust Deed Funds totaling \$100,000.00. The \$100,000.00
20 investments is believed to have been made on or around April 8, 2006. The status of the investment
21 is unknown at this time, and a request for an accounting has been made to Debtor's counsel.

22 C. Frank Raymond Lee
23 POBox 14023
Las Vegas, NV 89114

24 The representation of this client is based on his investment in one or both of the Trust Deed
25 funds. The date and amount of investments are unknown at this time, and shall be disclosed to the
26 Court once that information is available.

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D. Roam Development Group, LP
c/o Rice, Silbey Reuther & Sullivan, LLP
3960 Howard Hughes Parkway, Suite 700
Las Vegas, NV 89109

The representation of this client is based on the fact that it is a borrower under a Promissory Note Secured by Deed of Trust. The purpose of the loan taken by Roam Development Group, LP (Roam) was so that Roam could develop the Fairways Project (condominiums) in Galveston, Texas. The lenders in this particular transaction are listed in the attached Exhibit C. The loan is secured by deeds of trust, and is currently being serviced by USA Commercial Mortgage Company. The note securing the loan which Roam received in this matter is believed to have been executed on or about march 23, 2005. The total amount, principal and interest included, outstanding on the note is unknown at this time, but shall be disclosed as that information becomes available. Counsel is holding the monthly payment of \$436,325.06 pending the entry of an this Court's order of the May 18, 2006 hearing arising out of the Debtor's Motion to Execute Releases and Accept Loan Proceeds.

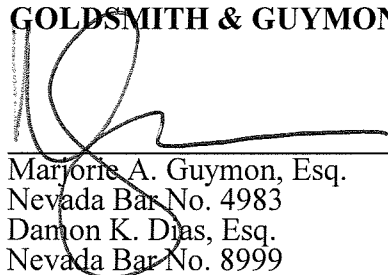
3. I filed this statement as soon as was it was feasible, given the complexity of the case and the issues involved herein.

4. A supplement shall be filed to this statement once all of the relevant information is available.

I declare under penalty of perjury that the foregoing is true and correct.

DATED this 6th day of June, 2006.

GOLDSMITH & GUYMON, P.C.


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Nevada Bar No. 4983

Damon K. Dias, Esq.

Nevada Bar No. 8999

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Attorneys for Mountain West Mortgage, LLC, Michael W. Gortz

Frank Raymond Lee and Roam Development Group, LP

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